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Ned McWherter (1987-1995)

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No. 50 An Order Transferring the Administration of Certain Provisions of the Solid Waste Management Act of 1991 From the State Planning Office to the Department of Environment and Conservation

Ned R. McWherter

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SECRETARY OF STATE

STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

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No. 50

NOV 19 1991

AN ORDER TRANSFERRING THE ADMINISTRATION OF **TECH. DEPOSITORY ITEM**
CERTAIN PROVISIONS OF THE SOLID WASTE MANAGEMENT
ACT OF 1991 FROM THE STATE PLANNING OFFICE TO THE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION.

WHEREAS, it is in the interest of a more economical and efficient state service to reduce administrative duplication and to streamline the operation of state government; and

WHEREAS, it is in the interest of a more economical and efficient state service to combine into one Department related service delivery, financial assistance, and regulatory programs thereby facilitating the operation of these programs; and

WHEREAS, it has been determined that, in the interest of economy, efficiency and better coordination of the functions of state government, the administration of certain provisions of the Solid Waste Management Act of 1991 relating to financial assistance programs should be transferred from the State Planning Office to the Department of Environment and Conservation; and

WHEREAS, the Tennessee State Planning Office is established in the Office of the Governor by Tennessee Code Annotated, Section 13-1-101, and the Department of Environment and Conservation is created and established in Tennessee Code Annotated, Section 4-3-101; and

WHEREAS, the Solid Waste Management Act of 1991, Public Chapter 451 of the Public Acts of 1991, assigns certain duties and responsibilities to the State Planning Office and the Department of Environment and Conservation;

NOW, THEREFORE, I, Ned McWherter, Governor of the State of Tennessee, by virtue of the power and authority vested in me by

the Tennessee Constitution and laws of Tennessee, do hereby order and direct the following:


1. That the responsibility for administering Sections 17(a), 19, 21(d), 26(c), 29, 34, 36(d), and 45 of the Solid Waste Management Act of 1991, Public Chapter 451 of the Public Acts of 1991, relative to certain financial assistance programs assigned by the Act to the State Planning Office, is hereby transferred to the Department of Environment and Conservation, effective immediately and that from and after the date of this Order all functions of the State Planning Office under the provisions of Sections 17(a), 19, 21(d), 26(c), 29, 34, 36(d), and 45 of the Solid Waste Management Act of 1991, Public Chapter 451 of the Public Acts of 1991, relative to certain financial assistance programs, shall be administered by and shall be under the control of the Commissioner of Environment and Conservation. Provided, however, that no current personnel or equipment shall be transferred from the State Planning Office to the Department of Environment and Conservation pursuant to this Order.
2. That from and after the date of this Order, the Commissioner of Environment and Conservation shall perform the duties and have the responsibilities with regard to the administration of all statutory functions transferred under the provisions of Section 1 of this Executive Order.
3. That on or after the date of this Order, the Department of Environment and Conservation through the Commissioner shall have the authority to receive, administer and supervise any and all grants and funds from whatever source, including but not limited to the federal, state, county and municipal governments, with respect to the programs or functions of the State

Planning Office herein transferred to the Department of Environment and Conservation.

4. That the Commissioner of Finance and Administration shall appropriately revise current and future budgets for implementation of the Solid Waste Management Act of 1991 to reflect the effect of this Executive Order.
5. That all contracts entered into prior to the effective date of this Order, by the State Planning Office with respect to any program or function transferred herein with any entity, corporation, agency, enterprise or person shall continue in full force and effect as to all essential provisions in accordance with the terms and conditions of the contracts in existence on the date of this Executive Order, to the same extent as if such contracts had originally been entered into by and between such entity, corporation, agency, enterprise or person and the Department of Environment and Conservation, unless and until such contracts or leases are amended or modified by the parties thereto.

IN WITNESS WHEREOF, I have subscribed my signature and

caused the Great Seal of the State of Tennessee to be affixed
this 5th day of November, 1991.


GOVERNOR

SECRETARY OF STATE



